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7   UNITED STATES DISTRICT COURT
                     EASTERN DISTRICT OF WASHINGTON
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    LYLE AYOTTE,   )
10   )   No. CV-07-0183-CI
                      Plaintiff,   )
11   )
    v.   )   ORDER GRANTING STIPULATED
12   )   MOTION FOR REMAND PURSUANT
    MICHAEL J. ASTRUE,   )   TO SENTENCE FOUR OF 42
13 Commissioner of Social   )   U.S.C. 405(g)
    Security,   )
14   )
                      Defendant.   )
15

16   BEFORE THE COURT is the parties' stipulated Motion for remand

17 of the above-captioned matter to the Commissioner for additional

18 administrative proceedings. (Ct. Rec. 16).   The parties have

19 consented to proceed before a magistrate judge.   (Ct. Rec. 8.)

20 After considering the stipulation of the parties,

21   **IT IS ORDERED** that the above-captioned case be **REVERSED** and

22 **REMANDED** to the Commissioner of Social Security for further

23 administrative proceedings pursuant to sentence four of 42 U.S.C. §

24 405(g). On remand, THE Appeals Council will remand this case for

25 the administrative law judge to (1) fully evaluate all of the

26 medical opinions, particularly those of Drs. Capes, Brown, Beaty,

27 and Pollack, giving legally sufficient reasons for the evaluation;

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    ORDER GRANTING STIPULATED
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1 (2) consider the lay witness statements consistent with 20 C.F.R. §§

2 404.1513(d), 416.913(d) and Social Security Ruling (SSR) 06-3p; (3)

3 evaluate Plaintiff's obesity consistent with SSR 02-1p; (4) reassess

4 Plaintiff's residual functional capacity; (5) evaluate the opinion

5 of Ellen Nagourney; and (6) obtain vocational expert testimony to

6 address the issues at step five.   Plaintiff may present new

7 arguments and further medical evidence, if such evidence becomes

8 available.

9   **IT IS FURTHER ORDERED:**

10   1.   The parties' stipulated Motion for Remand **(Ct. Rec. 16)** is

11 **GRANTED**.

12   2.   Judgment shall be entered for the **PLAINTIFF**.

13   3.   An application for attorney fees may be filed by separate

14 motion.

15   The District Court Executive is directed to enter this Order,

16 forward copies to counsel, and thereafter shall close this file.

17   DATED December 28, 2007.

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19   S/ CYNTHIA IMBROGNO
                 UNITED STATES MAGISTRATE JUDGE

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ORDER GRANTING STIPULATED
MOTION FOR REMAND - 2